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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER
LEE, GINA W

ART UNIT	PAPER NUMBER
2609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/708,413	SHEDD, JONATHAN ELIAS	
	Examiner	Art Unit	
	Gina W. Lee	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☒ Claim(s) *2-12 and 14-18* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *01 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. The disclosure is objected to because of the term "voice recognition", which is used throughout, for what nowadays is called "speech recognition" in the speech signal processing art. While "voice recognition" and "speech recognition" were once used interchangeably, these days the terms must be strictly distinguished. The term "voice recognition" is now considered synonymous with "speaker recognition", denoting the identification of who is speaking, while "speech recognition" (or "word recognition") denotes identification of what is being said (information content).

Appropriate correction is required.

Claim Objections

2. Claims 2 and 5 are objected to because of the following informality: "The communication link of claim 1" should be replaced with "The device of claim 1". The examiner understands claim 2 to be claiming the entire device of claim 1 with some further limitations, and not simply part of claim 1 independently. Correction is required to clarify the claimed subject matter.

3. Claim 3 is objected to because of the following informality: "The receiver of claim 2" should be replaced with "The device of claim 2".

4. Claim 4 is objected to because of the following informality: "The receiver of claim 3" should be replaced with "The device of claim 3".

5. Claims 6 and 8 are objected to because of the following informality: "The voice recognition means of claim 1" should be replaced with "The device of claim 1".

6. Claim 7 is objected to because of the following informality: "The voices of claim 6" should be replaced with "The device of claim 6".

7. Claim 9 is objected to because of the following informalities: "The selecting means of claim 1" should be replaced with "The device of claim 1". It is also objected to because it is ungrammatical.

8. Claim 10 is objected to because of the following informalities: "The display of claim 1" should be replaced with "The device of claim 1". "The display is" should be replaced with "The display means is".

9. Claim 11 is objected to because of the following informalities: "The display information of claim 1" should be replaced with "The device of claim 1". "The display information" should be replaced with "the predetermined information".

10. Claim 12 is objected to because of the following informality: "The display means of claim 1" should be replaced with "The device of claim 1".

11. Claim 14 is objected to because of the following informality: "The remote source of claim 13" should be replaced with "The method of claim 13".

12. Claim 15 is objected to because of the following informality: "The remote transmitter of claim 14" should be replaced with "The method of claim 14".

13. Claim 16 is objected to because of the following informality: "The NOAA weather broadcast of claim 15" should be replaced with "The method of claim 15".

14. Claim 17 is objected to because of the following informalities: "The translating of claim 13" should be replaced with "the method of claim 13". "The translating comprises" should be replaced with "the translating step comprises".

15. Claim 18 is objected to because of the following informality: "The converting of claim 13" should be replaced with "The method of claim 13".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

17. Claims 1-4, 6-10, and 12-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun (US 6,177,873) in view of Barcy et al. (US 6,542,200).

18. With respect to **independent claims 1 and 13**, Cragun teaches a device and associated method comprising:

- a communication link for receiving audio weather information (Fig. 3, communication link (310)) from a remote source
- a selecting means for selecting and means for arranging predetermined information into a format useful for displaying (Fig. 6, col. 11, lines 9-14 processor determines if events are to be visually displayed using information selected by user (616))
- a display means (Fig. 3, visual indicator (326)) on which to display the data

but Cragun does not teach obtaining the data using "a voice recognition means for translating the received audio weather information into text". However, the examiner contends that this concept was well known in the art, as taught by Barcy.

Barcy discloses a device and method for a speech-to-text translating processor for use in a television, radio, or other broadcast receiver. The human speech in the signal input is translated to text and converted to display data (Fig. 1, col.7, lines 3-9, speech-to-text converter (40) converts the speech signal to text; col. 3, col. 7, lines 10-14 and 20-22, text alpha numeric signal can be displayed).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cragun's weather radio by providing a means of extracting the information from the audio information, because it would be a way of providing accessibility to broadcast information for a hearing impaired or non hearing impaired or a totally deaf person, especially in cases when a digital data broadcast is not available.

19. With respect to **claim 2**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Cragun further teaches

- a weather data source (Fig. 3, col. 4., lines 1-12, data source (364))
- a remote transmitter linked to the weather data source, for transmitting the audio weather information (Fig. 3, col. 4, lines 13-20, communication link (362))
- a receiver, for receiving remote transmissions from the remote transmitter (Fig. 3, communication link (310)).

20. With respect to **claims 3 and 4**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Cragun teaches that the receiver receives NOAA transmissions (col. 4, lines 38-49, weather data include information from the NOAA weather wire), which are broadcast between 162.400 and 162.550 MHz (col. 4, lines 27-37, data transfer is accomplished in the VHF bad, in the frequency range from 162.400 to 162.550 MHz).

21. With respect to **claim 6**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Barcy teaches that the voice recognition means has been trained to recognize voices used to relay audio weather information (col. 3, lines 28-37, col. 7, lines 10-14, an example of the voice recognition means given is IBM Via Voice, which is an engine that has been trained to recognize voices, and the transmissions that Barcy's invention receives includes weather program transmissions).

22. With respect to **claim 7**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 6); furthermore, Cragun teaches that the voices that relay weather forecast information are synthetically generated (col. 4, lines 38-49, weather data transmitted includes information from the NOAA weather wire). It is well known that NOAA has used synthetic voices in its weather broadcasts since 1997 (see Henton, 2002, pp. 125 for corroboration).

23. With respect to **claim 8**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1), but does not explicitly teach that the "voice recognition means has a vocabulary comprising the words used by the broadcaster". However, it would have been

obvious to one of ordinary skill in the art at the time the invention was made that Barcy's invention, which comprises a speech recognition engine such as IBM Via Voice (col. 3, lines 28-37, col. 7, lines 10-14) as well as a language translation module, would also comprise a vocabulary comprising the words used by the broadcaster and could be further trained as well.

24. With respect to **claim 9**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Cragun teaches that the user can select the information displayed (Fig. 1, Fig. 3, col. 2, lines 21-33, user can select geographic area and weather notification parameters as well as the type of output).

25. With respect to **claim 10**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Cragun teaches that the display may be a liquid crystal display (col. 3, line 41).

26. With respect to **claim 12**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1); furthermore, Cragun teaches that the display means includes a display driver (col. 3, lines 27-30, display driver may be connected) and a display (col. 3, lines 29-32, visual indicator (326) displays information).

27. With respect to **claim 14**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 13); furthermore, Cragun teaches that the remote source comprises a remote

transmitter for transmitting audio weather information (Fig. 3, col. 4, lines 13-16, communication link (362)).

28. With respect to **claims 15 and 16**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 13); furthermore, Cragun teaches that the remote transmission comprises a NOAA weather broadcast (col. 4, lines 38-49, weather data transmitted includes information from the NOAA weather wire), which is broadcast between 162.400 and 162.550 MHz (col. 4, lines 27-37, data transfer is accomplished in the VHF bad, in the frequency range from 162.400 to 162.550 MHz).

29. With respect to **claim 17**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 13); furthermore, Barcy teaches that the translating step comprises using a voice recognition means to translate the audio weather transmission into text (Fig. 1, col. 3, lines 28-37, col. 7, lines 10-14, audio signal is converted into a text signal by converter (40) that may be a voice recognition speech engine).

30. With respect to **claim 18**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 13); furthermore, Cragun teaches a method of selecting predetermined information and arranging the information into a format useful for displaying (Fig. 4, col. 3 lines 17-45, information is displayed visually when parameters have been met).

31. Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cragun (US 6,177,873) in view of Barcy et al. (US 6,542,200) as applied to claim 1 above, and further in view of Koeller (US 6,297,766).

32. With respect to **claim 5**, Cragun in view of Barcy teaches everything claimed, as applied above (see claim 1). However, Cragun in view of Barcy does not teach that the communication link of the device receives satellite transmissions.

In the same field of endeavor (weather radios), Koeller teaches that the communication link may comprise a satellite dish (col. 3, lines 56-67).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cragun in view of Barcy such with the increased capability of a satellite transmission receiver, as taught by Koeller, in order to increase the number of information sources, as well as for better coverage of rural or hard-to-reach areas.

33. With respect to **claim 11**, Cragun in view of Barcy and Koeller teaches everything claimed, as applied above (see claim 1); furthermore, Koeller teaches that the display information includes a summary of the weather forecast (col. 4, lines 26-47, many sources of data are considered but the only certain displayed information is selected).

Conclusion

34. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Lamb (US 6,617,964, US 6,329,904 and US 2005/0237183) discloses an apparatus and method for providing weather information.

Alcock et al. (US 2004/0198389), Taylor (US 2003/0169181), and Straub (US 7,053,780) disclose methods and systems for delivering location specific information.

Hind et al. (US 6,990,444) discloses a method and system for transforming an audio stream to text.

35. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gina W. Lee whose telephone number is (571) 270-3139. The examiner can normally be reached on Monday to Thursday, 6:30 AM - 5:00 PM EST.

36. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Eisen can be reached on (571) 272-2687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

37. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Alexander Eisen

SPE
Art Unit 2609

GWL